

### **REMARKS**

Claims 1-14, 17, 20-50, and 62-67 are pending and stand rejected. Claims 1, 36, and 63 are amended herein. Claims 68-71 are added. Claims 1-14, 17, 20-50, and 62-71 are pending upon entry of this amendment.

Support for new claims 68-71 is found throughout the specification. Paragraph 29 in particular describes how the run time environment can directly process the specification. That is, the run time environment processes the specification without the need for extra processing such as compiling, assembling, etc.

### **Interview Summary**

Applicants' representative and Examiner Wang conducted a telephone interview on April 2, 2009 and discussed distinctions between the claimed invention and the Kasi reference. No specific agreement was reached. Applicants thank the Examiner for his efforts in connection with this application.

### **35 U.S.C. § 102 and 103 Rejections**

Claims 1-2, 17, 27, 36-41, 49-50, 63-65, and 67 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kasi et al. (Pat. No. US 7,340,508 B1). Claims 3-9 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasi in view of Saga Software, Inc. (WO 00/29924). Claims 20-26, 28-34, 42-48, 62, and 66 stand rejected under § 103(a) as being unpatentable over Kasi in view of Thilmany et al. (BizTalk®: Implement Design Patterns for Business Rules with Orchestration Designer, Oct. 2001, MSDN® Magazine). Claims 10-12 and 14 stand rejected under § 103(a) as being unpatentable over Kasi in view of Moore et al. (Pub.

No. US 2004/0034848 A1). Claim 13 stands rejected under § 103(a) as being unpatentable over Kasi in view of Moore and further in view of Lee et al. (The Extensible Rule Markup Language, May 2003, ACM). Applicants respectfully traverse these rejections. The rejections are discussed together for clarity.

Claim 1 recites a method of creating an application for executing on at least one machine having a memory. The method comprises creating a definition of a node and a specification, both of which are held in at least one machine readable data file and written in a markup language. The amended claim recites that the specification is arranged to be processed by a run time environment and defines:

- i: how the at least one node interacts with other nodes during the processing of the specification;
- ii: resources useable by the at least one node during the processing of the specification;
- iii: at least one set of predetermined rules used by the at least one node during the processing of the specification; and
- iv: a set of messages which are arranged to be passed between nodes during the processing of the specification.

In addition, the amended claim recites “causing the run time environment to process the specification” such that the defined node is “implemented within the memory of the machine” as a memory resident node. Processing the specification in the run time environment interconnects the memory resident node such that data input to the application created by processing of the specification is processed by the node, and links between nodes are dynamically configured responsive to amendments to the specification during processing.

Kasi does not disclose or suggest a specification having the characteristics recited by the amended claim. Kasi discloses an example of Middleware – computer software that connects software components or applications and which assists in communication between disparate systems that an organization has or between disparate systems of separate businesses, etc. While

Kasi describes a choreography that allows applications to communicate, Kasi does not disclose or suggest the claimed specification.

In the rejection of claim 1, the Examiner asserts that the claimed specification is disclosed in Kasi at col. 5, lines 54-67. This portion of the reference describes a “document family,” which is “a set of document versions whose scheme defines the document structure.” More specifically, Kasi states that “a document family is a set of documents with the same business function,” such as a set of purchase orders. Col. 6, lines 21-24. The documents in the document family do not define node interactions, resources usable by the nodes, or the other claimed characteristics of the specification.

The rejections of the claim limitations related to the specific characteristics further illustrate the distinctions between Kasi and the claimed invention. The rejection of the limitation reciting that the specification defines how the at least one node interacts with the other nodes is based on col. 5, lines 54-67 of Kasi. This portion of the reference describes how the document family “allows two interacting services to support different versions of the document.” It says nothing about how two nodes interact. Instead, the portion merely describes how a document can be held in a first format at one node and transformed into a second format at the other node.

The rejection of the limitation reciting that the specification defines resources usable by the at least one node during processing of the specification is based on col. 16, lines 64-66, and col. 17, lines 2-3, of Kasi. The cited portions generally describe how services are offered by applications. The portion of column 16 describes how a service can be associated with a default web agent and the portion of col. 17 states that access to resource paths can be specified. However, the services referenced in cols. 16 and 17 are not defined by the document family that

the rejection equates with the claimed specification. Thus, these portions serve to emphasize the distinctions between Kasi and the claimed invention.

Due to at least the above distinctions, Applicants submit that a person of ordinary skill in the art at the time the claimed invention was made would not find the invention of claim 1 anticipated or obvious in view of Kasi. Independent claims 36 and 63, and the dependent claims, are not anticipated or obvious for at least the same reasons. The other references cited by the Examiner do not remedy the deficiencies of Kasi described above, nor does the Examiner allege that they do. Therefore, Applicants request that the Examiner withdraw the rejections.

### **CONCLUSION**

Applicants respectfully submit that the pending claims are patentable over the cited art and request that the Examiner withdraw the rejections and allow the claims. The Examiner is invited to contact the undersigned to advance the prosecution of this case.

Respectfully submitted,  
ABDUL KAYAM ET AL.

Dated: April 24, 2009

By: /Brian Hoffman/  
Brian M. Hoffman, Reg. No. 39,713  
Attorney of Record  
Fenwick & West LLP  
801 California Street  
Mountain View, CA 94041  
Tel.: (415) 875-2484  
Fax: (415) 281-1350